Ministry of Indigenous Relations and Reconciliation

2018/19 – 2020/21 SERVICE PLAN

February 2018

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Minister Accountability Statement

The *Ministry of Indigenous Relations and Reconciliation 2018/19 - 2020/21 Service Plan* was prepared under my direction in accordance with the *Budget Transparency and Accountability Act*. I am accountable for the basis on which the plan has been prepared.

Honourable Scott Fraser
Minister of Indigenous Relations and Reconciliation
February 2, 2018

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Purpose of the Ministry

The Ministry of Indigenous Relations and Reconciliation (the Ministry) leads the Province of British Columbia in efforts toward true, lasting reconciliation with Indigenous peoples[1] in B.C. In collaboration with Indigenous peoples, the Ministry is developing a reconciliation vision that will guide the implementation of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), the Truth and Reconciliation Commission (TRC) of Canada's Calls to Action, and the Tsilhqot'in Supreme Court Decision.

The Ministry works toward reconciliation with Indigenous peoples in B.C. through treaties, agreements, partnerships and other transformative reconciliation initiatives. The Ministry's work includes understanding and supporting the opportunities and identified needs of Indigenous peoples. A key component of reconciliation involves enhancing relationships and respecting how Indigenous communities[2] choose to define themselves.

The Ministry is also responsible for the First Peoples' Cultural Council (FPCC), a provincial Crown corporation formed by the Government of British Columbia in 1990 to administer the First Peoples' Heritage, Language and Culture Program. British Columbia is the only province in Canada that has established a Crown corporation that leads First Nations heritage, language, culture and arts initiatives. For information about FPCC, visit their website at: www.fpcc.ca.

Strategic Direction and Alignment with Government Priorities

The 2017 Confidence and Supply Agreement between the B.C. Green Caucus and the B.C. New Democrat Caucus describes the adoption of the UNDRIP, the TRC Calls to Action, and the Tsilhqot'in decision as a foundational piece of the caucuses' relationship. The Agreement commits to ensure the government reviews policies, programs and legislation to determine how to bring the UNDRIP principles into action in B.C.

The Minister of Indigenous Relations and Reconciliation's Mandate Letter outlines key factors to meet the government's vision for a Better B.C., including the UNDRIP policy, program, and legislative review commitment described above, as well as moving forward on the TRC Calls to Action and implementing the Tsilhqot'in decision.

[1] Recognizing that Canada's Indigenous population is distinct and diverse and identities are defined by language, the Ministry name has changed to reflect "Indigenous" in its title.

The term "Indigenous" used throughout this document is intended to include all people of Indigenous ancestry, including First Nations, Métis and Inuit.

[2] The term "communities" means the diversity of Indigenous communities as defined by Indigenous peoples and includes descriptions such as urban, rural, metropolitan, land-based and reserve. The Ministry of Indigenous Relations and Reconciliation works with all Indigenous peoples wherever they may live in British Columbia.

Substantive progress is expected on the following priorities:

- Work collaboratively and respectfully with Indigenous peoples to establish a clear, cross-government vision of reconciliation to guide the implementation of the UNDRIP, the TRC Calls to Action, and the Tsilhqot'in decision.
- In partnership with First Nations, transform the treaty process so it respects case law and the UNDRIP.
- Support Indigenous communities seeking to revitalize connections to their languages.
- Provide reliable, dedicated funding and support for Friendship Centres.
- With the Minister of Finance, negotiate with First Nations leadership and communities around expanding opportunities for their share of B.C.'s gaming industry.

The Ministry is aligned with the government's key priorities:

Government Priorities	**The Ministry of Indigenous Relations and Reconciliation Aligns with These Priorities By:**
Making life more affordable	• Productively partnering with other ministries, Indigenous governments, communities and organizations, stakeholders and other orders of government to improve socio-economic and socio-cultural outcomes, which includes sharing in benefits, and collaboration on land-use planning and management. (Objective 2.1)
Delivering the services people count on	• Through extensive engagement, collaborating and building relationships with Indigenous peoples to inform government actions to develop and implement the new reconciliation vision. (Objective 1.1)
A strong, sustainable economy	• Shifting how government negotiates agreements to reconcile provincial interests with the rights of First Nations by exploring new topics and approaches to collaboratively implement rights and title.(Strategy under Objective 2.1) • Creating opportunities to improve participation of Indigenous communities in the process of growing the economy, and in resource revenue-sharing agreements that are equitable and part of reconciliation, including working with the Ministry of Finance to expand opportunities for revenue-sharing in B.C.'s gaming industry. (Strategy under Objective 2.1)

Strategic Context

The B.C. Government has promised to achieve its reconciliation commitments in a manner that is both transformative and collaborative. This co-created vision of reconciliation will be guided by the implementation of the UNDRIP, the TRC Calls to Action, and the Tsilhqot'in Supreme Court decision. These foundational documents are the government's instruments toward transformative change. The government recognizes a core tenet to implementing the UNDRIP is to ensure that Indigenous peoples are deeply and directly involved in all aspects of the development of any strategy, program, policy or legislation that may affect them.

The Ministry's engagement efforts in 2018/19 will set the foundation for future relationships with Indigenous peoples and support a cultural transformation in the way the public service and government designs and develops policy, programs, and services. Such transformation will increase Indigenous collaboration in decision-making and promote constructive engagement with Indigenous communities, as well as federal, municipal and treaty partners.

It is critical for the Province to collaborate with First Nations, Métis and Inuit peoples, Indigenous organizations, and other government partners in this complex work. This must also be done in harmony with the federal government's review of federal law and policies, and in consideration of the Principles respecting the Government of Canada's Relationship with Indigenous peoples.

The B.C. Government's commitments to reconciliation will ensure that government reviews and builds on successful existing relationships and agreements such as the Métis Nation Relationship Accord II, the Commitments Document with the First Nations Leadership Council, the Social Determinants of Health Memorandum of Understanding (MOU) with the First Nations Health Council, and strategies that support urban Indigenous peoples in B.C.

Paramount to these efforts is understanding and leveraging the value of Indigenous perspectives and contributions through respectful and collaborative relationships.

It is important to note that will take substantial and meaningful engagement to develop the appropriate outcome-based and community-supported performance measures that appropriately express and reflect the reconciliation goals of government as well as Indigenous peoples. Future performance measures will change and be enhanced as a reflection of this engagement. While such dialogue will take time, strengthening relationships with Indigenous communities is holistically enriching, and will improve outcomes not only for Indigenous peoples, but for all British Columbians.

Additional context

More than 270,000 people in B.C. identify as Indigenous, representing one in six Indigenous people in Canada. There are 203 First Nations in B.C. (of 600 in Canada), and they represent 34 distinct languages. At more than 89,000, the Métis population living in B.C. is the fourth-largest in Canada.

On June 2, 2015, the TRC of Canada released 94 calls to action to redress the legacy of residential schools and advance the process of reconciliation. The TRC's report called on all levels of government in Canada to work together and show leadership, courage, and conviction to help heal the wounds of the past and work toward a more just and fair country.

UNDRIP was adopted by the United Nations in 2007 and contains 46 articles that speak to the individual and collective inherent human rights of Indigenous peoples.

In 2014, the Supreme Court of Canada granted a declaration of Aboriginal title to a portion of Tsilhqot'in territory, which is about 1,700 square kilometres in the Cariboo-Chilcotin. This is the first time the courts have granted a declaration of Aboriginal title in Canada.

The Economic Forecast Council (EFC) expects B.C.'s real GDP to grow by 2.5 per cent in 2018 and 2.2 per cent in 2019. Meanwhile for Canada, the EFC projects national real GDP growth of 2.2 per cent in 2018 and 1.8 per cent in 2019. As such, B.C.'s economic growth is expected to outperform Canada's in the coming years. Downside risks to B.C.'s economic outlook include U.S. trade policy uncertainty and ongoing economic challenges in Asia and Europe.

Goals, Objectives, Strategies and Performance Measures

Goal 1: Establish a clear, cross-government vision of reconciliation to guide the implementation of the United Nations Declaration on the Rights of Indigenous Peoples, the Truth and Reconciliation Commission of Canada's Calls to Action, and the Tsilhqot'in Supreme Court decision.

Objective 1.1: Through extensive engagement, collaborate and build relationships with Indigenous peoples to inform government actions to develop and implement the new reconciliation vision.

Key Strategies:

- Develop meaningful and respectful engagement approaches with Indigenous peoples as well as the public, partners, and the federal and municipal governments that include strategies to address capacity for engagement.
- Develop principles of collaboration to inform and guide transformation work.
- Advocate and collaborate with government ministries and the BC Public Service Agency to ensure integration of the reconciliation vision in the development of all policies, programs and legislation, and support understanding and awareness.
- Draw on the expertise and apply the guidance of the Minister's Advisory Council on Indigenous Women.
- Work with treaty partners to transform the treaty-making process so it becomes an effective and lasting instrument of reconciliation and incorporates the UNDRIP, the TRC Calls to Action, and case law.
- Address disproportionality in well-being and outcomes of Indigenous communities in a way that is organized around the communities' definitions of their needs, goals, and likelihood of success of specific strategies.

Performance Measure(s)	2017/18 Baseline	2018/19 Target	2019/20 Target	2020/21 Target
1.1a Successful establishment and support of Indigenous advisory group(s) that contribute to reconciliation transformation.[1]	0	1	-	-

[1] Data Source: Ministry of Indigenous Relations and Reconciliation.

Linking Performance Measure to Objectives:

1.1a Indigenous advisory and engagement groups provide valuable understanding, Indigenous perspective and worldviews, and cultural diversity, which are needed to successfully achieve government's reconciliation commitments.

Discussion:
This performance measure reflects the engagement with Indigenous leaders and communities that government must establish and continue in order to reach its objectives related to reconciliation transformation.

Goal 2: Continue to support improved economic and social outcomes for Indigenous peoples in British Columbia.

Objective 2.1: Productively partner with other ministries, Indigenous governments, communities and organizations, stakeholders and other orders of government to improve socio-economic and socio-cultural outcomes, which includes sharing in benefits and collaboration on land-use planning and management.

Key Strategies:

- Collaborate with other ministries and partners in support of the Social Determinants of Health MOU to improve the health and wellness of Indigenous children, families and communities in areas such as: ending violence towards Indigenous women, girls and LGBTQ2S peoples; justice; education; skills training; individual and community well-being; children, families and youth; economic development; language and culture; and, poverty reduction.
- Support practices to advance reconciliation for Indigenous peoples who live away from their home communities, such as urban Indigenous populations, including consistent and meaningful support for the work of Aboriginal Friendship Centres.
- Work with Indigenous youth organizations to support Indigenous youth in developing their capacity and opportunities for engaging with government on issues important to them.
- Explore additional ways to benefit from the cultural knowledge and critical role of Elders in Indigenous communities.
- Build on the efforts of the First Peoples' Cultural Council to revitalize Indigenous languages in B.C.
- Work with the Ministry of Forests, Lands, Natural Resource Operations and Rural Development to modernize land-use planning and sustainably manage B.C.'s ecosystems, rivers, watersheds, forests and old growth.
- Shift how government negotiates agreements to reconcile provincial interests with the rights of First Nations by exploring new topics and approaches to collaboratively implement rights and title.

- Create opportunities to improve capacity and participation of Indigenous communities in the process of growing the economy and in resource revenue-sharing agreements. Emphasis will be placed on creating agreements that are equitable and part of reconciliation, including working with the Ministry of Finance to expand opportunities for revenue-sharing in B.C.'s gaming industry.

Performance Measure(s)	2017/18 Baseline	2018/19 Target	2019/20 Target	2020/21 Target
2.1a Number of new opportunities[1] to increase participation of First Nations in revenue sharing.[2]	2	4	4	4

[1] This may include new broad policies, initiatives and/or the development of different revenue streams such as provincial gaming revenue as well as new revenue-sharing opportunities negotiated into particular agreements.
2. Data Source: Ministry of Indigenous Relations and Reconciliation

Linking Performance Measure to Objectives:

2.1a The number of new revenue-sharing opportunities available to First Nations reflects government's commitment to enhance revenue-sharing practices through collaboration around resource and economic development. When First Nations share in the wealth generated by economic opportunities, it supports economic growth and positive outcomes in their communities.

Discussion:

Sharing revenue with Indigenous communities is an important reconciliation tool that supports implementation of the UNDRIP. First Nations and Indigenous communities require revenue to strengthen capacity, which, in turn, supports their self-determined pursuit of economic, social, and community development.

The Ministry currently works in collaboration with First Nations, industry, and partner ministries to establish revenue-sharing agreements (see below for examples of current agreement types). While the provincial government will continue to pursue these agreements, this performance measure tracks government's success in improving revenue-sharing opportunities through new initiatives, in collaboration with First Nations.

British Columbia is Canada's leader in resource revenue and benefits sharing with First Nations. As the forestry, mining, tourism, and oil and gas industries continue to attract investment and jobs, the Province is committed to sharing revenue with First Nations that are potentially affected by resource development in their traditional territories. The Province recognizes that these partnerships are an important component of broader reconciliation for many First Nations, industry partners, and communities across the province.

The Province has also committed to engage First Nations and Indigenous communities in the development of how provincial gaming revenue will be shared. This is one of many opportunities to work in partnership with First Nations to develop new revenue-sharing opportunities that can further support economic growth, business opportunities, and First Nations governance capacity building.

Revenue-Sharing Agreement Types

There are currently four common types of economic benefit revenue-sharing opportunities available to First Nations:

Forest Consultation and Revenue Sharing Agreements (FCRSA) provide First Nations with economic benefits returning directly to their communities, based on harvest activities in their traditional territory.

Economic and Community Development Agreements (ECDA) are agreements between government and First Nations for sharing the direct mineral tax revenue on new mines, major mine expansions, and resorts.

Economic Benefit Agreements (EBA) provide annual revenue sharing from oil and gas royalties, and other resource activities such as forestry and mining within traditional territories.

First Nations Clean Energy Business Fund revenue-sharing agreements with First Nations are used where there are provincial water and/or land rentals from clean-energy projects overlapping their territories.

Examples of other benefit-sharing opportunities, based on economic opportunity:

Liquefied Natural Gas Facility Agreements are agreements between government and First Nations that are an approach to partnering with First Nations on LNG opportunities. The Province has signed three LNG Benefits Agreements and four Coastal Fund Agreements with First Nations.

Natural Gas Pipeline Benefits Agreements (PBA) are agreements between the Province and First Nations that include development skills training and environmental stewardship projects with First Nations. The Province has signed 64 PBAs with First Nations.

Sole Proponent agreements give companies exclusive rights to move forward with the planning necessary to build LNG export infrastructure.

Examples of strategic agreements, in which revenue sharing may be one of various components:

Reconciliation Agreements

The term Reconciliation Agreement is used broadly to refer to a range of agreement types that are not treaties, but can incorporate a range of substantive elements, intended to provide long-term certainty. Reconciliation Agreements may include commitments to pursue resource revenue sharing, economic-development opportunities (e.g. carbon-offset sharing) and socio-cultural initiatives.

Strategic Engagement Agreements

Strategic Engagement Agreements (SEA) establish mutually agreed upon procedures and structures for consultation and accommodation. For First Nations in the treaty process, SEAs can help build the mechanisms to support decision-making in a post-treaty environment. For First Nations not participating in the treaty process, SEAs provide an opportunity for those First Nations take a more active role in decision-making processes and develop a stronger government-to-government (G2G) relationship with the Province.

Performance Measure(s)	2017/18 Baseline	2018/19 Target	2019/20 Target	2020/21 Target
2.1b Cumulative number of community well-being initiatives.[1]	8	12	16	20

[1] Data Source: Ministry of Indigenous Relations and Reconciliation

Linking Performance Measure to Objectives:

2.1b Community well-being initiatives are relatively new partnership models that take a comprehensive, holistic approach to investments in Indigenous communities to integrate social and economic priorities.

Discussion:

Community well-being initiatives are community-based, socio-cultural reconciliation processes where Indigenous communities and government work in partnership to identify priorities and implementation measures to advance self-determining, thriving Indigenous communities.

The Ministry plays a lead role in engaging with communities to discuss readiness and a willingness to engage in a comprehensive, holistic approach to advancing community well-being. Once a process has been initiated, the Ministry brings in other provincial and federal agencies as appropriate to provide technical expertise and access to programs, resources, tools and funding to support detailed planning and development. This performance measure tracks the number of Indigenous community well-being initiatives that have been established and are continuing to operate as a partnership model to enhance community well-being through economic development, cultural restoration, human resource capacity building, education, health and family services, and institutional and infrastructure development.

This partnership approach to investments in socio-cultural reconciliation reflects the government's commitment to UNDRIP and the TRC calls to action.

Resource Summary

Core Business Area	2017/18 Restated Estimates[1]	2018/19 Estimates	2019/20 Plan	2020/21 Plan
Operating Expenses ($000)				
Negotiations & Regional Operations Division	12,422	12,812	12,858	12,858
Strategic Partnerships & Initiatives Division	19,285	21,906	22,143	22,143
Reconciliation Transformation and Strategies Division	1,709	1,709	1,716	1,716
Executive & Support Services	7,467	7,487	7,520	7,520
Treaty & Other Agreements Funding	41,002	46,438	46,979	46,987
First Citizens Fund	1,850	1,900	1,900	2,000
First Nations Clean Energy Business Fund	7,222	7,264	8,133	8,051
Total	90,957	99,516	101,249	101,275
Ministry Capital Expenditures (Consolidated Revenue Fund) ($000)				
Executive & Support Services	5,341	3,901	1	1
Total	**5,341**	**3,901**	**1**	**1**

[1]For comparative purposes, amounts shown for 2017/18 have been restated to be consistent with the presentation of the 2018/19 Estimates.

*Further information on program funding and vote recoveries is available in the Estimates and Supplement to the Estimates."

Appendix A: Ministry Contact Information

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Appendix B: Hyperlinks to Additional Information

National Centre for Truth and Reconciliation
http://nctr.ca/about.php

UN Declaration on the Rights of Indigenous Peoples
http://www.un.org/esa/socdev/unpfii/documents/DRIPS_en.pdf

BC Treaty Commission
www.bctreaty.net/index.php

First Peoples' Cultural Council
http://www.fpcc.ca/

Métis Nation Relationship Accord
https://www2.gov.bc.ca/gov/content/governments/indigenous-people/new-relationship/m-tis-nation-relationship-accord

A list of statutes that fall under the responsibility of the Ministry can be found at:
http://www.bclaws.ca/civix/document/id/amr/amr/1712999503